

SERIAL NO. 09/659,375

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with the first imaging system, forming an intermediate image of the pattern between the first imaging system and the second imaging system;

directing the light propagating from the concave mirror through the second imaging system; and

forming an image of the reticle on the substrate with the second imaging system, wherein

the single-pass lens group includes from objectwise to imagewise, a first negative lens subgroup, a positive lens subgroup, and a second negative lens subgroup, and

the double pass lens group includes the concave mirror.

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REMARKS

INTRODUCTION:

In accordance with the foregoing, claim 58 has been added. No new matter is being presented, and approval and entry of the foregoing amendment is respectfully requested.

Claims 1-58 are pending and under consideration. Reconsideration is requested.

REJECTION UNDER 35 U.S.C. §251:

In the Office Action at pages 2-3, the Examiner rejects claims 1-57 as being based upon a defective reissue declaration. Specifically, the Examiner asserts that the declaration is defective for the following reasons:

- A. the error relied upon is not an error upon which a reissue can be based since the Examiner asserts that the new claims are narrower than the original claims; and

- B. the new claims present additional features and that no linking claim exists to provide a unity of invention.

This rejection is respectfully traversed and reconsideration is requested.

In light of new claim 58 and the enclosed Supplemental Reissue Application Declaration, it is respectfully submitted that the applicant has provided a linking claim that is purely broader than any of the issued claims. Specifically, claim 58 is a method claim that does not recite a providing operation as recited in issued claims 17 and 18. As such, it is respectfully submitted that the Applicant has both provided a claim that is purely broader than any of the issued claims, and also has the unity of invention required by the Examiner's novel interpretation of In re Weiler, et al., 229 USPQ 673 (Fed. Cir. 1986). Therefore, it is respectfully submitted that the newly presented claims are in compliance with the requirements of 35 U.S.C. of §251 due at least to the newly presented claim 58 being purely broader than any issued claim and providing a unity of invention.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

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If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935. Respectfully submitted,

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